

Honorable Tana Lin

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SILVER FERN CHEMICAL, INC., a
Washington corporation,

Plaintiff,

v.

SCOTT LYONS, an individual, TROY KINTO,
an individual, KING HOLMES, an individual,
ROWLAND MORGAN, an individual, and
AMBYTH CHEMICAL COMPANY, a
Washington corporation,

Defendants.

NO. 2:23-cv-00775-TL

**STIPULATED MOTION TO FILE
SECOND AMENDED COMPLAINT
AND ORDER**

**NOTE ON MOTION CALENDAR:
February 12, 2024**

Under Local Civil Rules 7(d)(1), 10(g), and 15, the Parties hereby submit the following stipulated motion to allow Plaintiff to file a Second Amended Complaint consistent with Federal Rule of Civil Procedure 15(a)(2). In support of this stipulated motion, the Parties state:

1. Following the Court's Order Granting in Part and Denying in Part Defendants' Motion to Dismiss, ECF No. 70, Plaintiff filed its First Amended Complaint on January 18, 2024.

2. Consistent with this Court's Standing Order for All Civil Cases, in anticipation of a motion to dismiss the First Amended Complaint, the Parties met and conferred on January 26, 2024.

3. Following the Parties' meet and confer, Plaintiff provided Defendants with a proposed Second Amended Complaint. A true and correct copy of the proposed Second Amended Complaint is attached as Exhibit 1 with redlines showing changes from Plaintiff's

1 First Amended Complaint.

2 4. Without waiving any of its rights or defenses with respect to Plaintiff's proposed
3 Second Amended Complaint, to avoid the further time and expense of motion practice,
4 Defendants do not oppose Plaintiff filing its proposed Second Amended Complaint.

5 5. The Parties stipulate and agree that, pursuant to Federal Rule of Civil
6 Procedure 15(a)(3), Defendants should have 14 days after the filing of the Second Amended
7 Complaint to file their responsive pleading.
8

9 6. The Parties thus stipulate and move the Court for an Order permitting Plaintiff
10 to file a Second Amended Complaint in materially the same form as the attached Exhibit 1, and
11 that Defendants be given 14 days from the filing of the Second Amended Complaint to file
12 their responsive pleading(s).

13 The Parties certify that this memorandum contains 264 words in compliance with the
14 Local Civil Rules.

15 DATED this 14th day of February, 2024.
16
17

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Counsel for Defendant Troy Kinto

ORDER

Based on the foregoing, IT IS SO ORDERED. Plaintiff shall file its Second Amended Complaint within one week of this Order. Defendants shall thereafter have 14 days to file their responsive pleading(s).

DATED: February 14, 2024



Tana Lin

United States District Judge